

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-51 are presently active; Claims 1, 2, 9, 35, 36, and 43 having been amended.

No new matter has been added.

In the outstanding Office Action, Claims 1-13, 18-30, and 35-47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tabata (U.S. Pat. No. 6,198,542) in view of Kawaguchi (U.S. Pat. No. 6,507,409). Claims 14, 31, and 48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tabata and Kawaguchi in view of Motoyama (U.S. Pat. No. 5,887,216). Claims 15-17, 32-34, and 49-51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tabata and Kawaguchi in view of Sawada et al (U.S. Pat. No. 5,933,675) and Chihara (U.S. Pat. No. 6,208,428).

Firstly, as defined in the independent Claims 1, 18, and 35, the usage information is obtained from at least one image-forming apparatus, the usage information being related to usage career information of the image forming apparatus, e.g. an accumulated number of copy sheets. Applicants submit that the usage information of Tabata does not relate to usage career information. Tabata simply includes information related to image forming apparatuses and their quick availability. Tabata disclose that:

The term "using-state" information, as used herein, signifies status information about whether the image forming apparatus is put in the usable state at present time, and whether the operator can select the apparatus for instant use (e.g., without queuing the request). Furthermore, it is also possible to display that, if the apparatus is being used, *how many copies are presently set* to be copied and of those *how many copies have already finished copying as of the accessed time*. Thereby, the operator can judge whether or not the apparatus is to be brought to an available state for using shortly thereafter, or whether the wait for the apparatus is too long of a time for use in the present scenario.¹ [emphasis added]

¹ Tabata, col. 8, lines 8-19.

Thus, it is respectfully submitted that Tabata addresses instant information about the status of the copier and do not disclose or suggest the feature of obtaining the usage *career* information from at least one image-forming apparatus.

Furthermore, Claim 1 for example defines a confirming device configured to confirm which of the at least one image-forming apparatus maintains not-yet-obtained usage information (i.e., which have data containing usage career information not yet obtained) after the first obtaining operation is executed. As defined, the confirming device does so by comparing the resulting of the first obtaining operation with the apparatus list. Moreover, Claim 1 defines a not yet obtained list generating device configured to generate a not-yet-obtained list indicating which of the at least one image-forming apparatus maintain the not-yet-obtained usage information based upon the confirmation.

The final Office Action acknowledges that Tabata does not teach such a device and relies on Kawaguchi for its teaching of a not yet obtained list generating device.² Applicants submit that, since Tabata relied on for its teaching of usage information does not disclose above-noted usage career information, then the defined not yet obtained list generating device in Claim 1 is not found in the applied prior art, as neither Tabata nor Kawaguchi disclose devices to obtain and/or monitor the usage career information.

This point notwithstanding, the outstanding Official Action asserts that Kawaguchi discloses a confirming device configured to confirm which of the at least one image forming apparatus have not-yet obtained usage information.³ Applicants respectfully disagree with this assertion.

As noted above, Claim 1 defines a confirming device configured to confirm which image forming apparatus has not yet obtained usage information. The information to be confirmed, if it was omitted, is the usage career information. The Office Action relies on

² Office Action, page 4, line 3, to page 5, line 4.

³ Office Action, page 4, lines 16-20.

citations from Kawaguchi that disclose information about the updated number of passed sheets, as shown in FIG. 1 thereof and steps S2 and S3 therein. However, in Claim 1, the confirmation is to determine if an omission exists in the former usage career information obtaining operation, by the comparing operation as claimed. Kawaguchi simply disclose obtaining an updated number of passed sheets (i.e., the usage career). Kawaguchi does not disclose confirming the obtaining usage information much less usage career information.

Moreover, the defined second obtaining operation in Claim 1 is directed to the user whose usage career information is omitted in the last operation. However, the corresponding operation in Kawaguchi obtains the updated number as mentioned above, and thus is performed without any exception when ever the copier updates the number as shown in FIG. 2 of Kawaguchi. Hence, the defined second obtaining operation in Claim 1 is likewise not disclosed or suggested in Kawaguchi.

Hence, for these reasons, Applicants submit that Claims 1, 18, and 35 and the claims dependent therefrom patentably define over the applied prior art.

Secondly, regarding dependent Claims 12, 29, and 46, Claim 12 for instance defines an usage information obtaining impossible list that indicates that at least one image-forming apparatus has the not-yet-obtained usage information even though a predetermined number times of the second obtaining operations have been executed by the second obtaining operation executing device. For similar reasons as given above with regard to Tabata and Kawaguchi, these art references do not check for not yet obtained information regarding usage career information. Hence, dependent Claims 12, 29, and 46 for these reasons in addition to their dependence respectively on independent Claims 1, 18, and 35 are believed to patentably define over the applied prior art.

Thirdly, regarding dependent Claims 14, 31, and 48, Claim 14 for instance defines that the central control apparatus transmits obtaining-impossible-list to at least one of a sales

person and a service person in charge of the image-forming apparatus having the *not-yet-obtained usage information*. For similar reasons as given above with regard to Tabata and Kawaguchi, these art references do not check for not yet obtained information regarding usage career information. Thus, even if the combination of Tabata and Kawaguchi with Motoyama were proper, the claimed invention would not be realized.

Moreover, regarding the combination of Tabata and Kawaguchi with Motoyama, the Office Action acknowledges that Tabata and Kawaguchi do not teach transmitting obtaining-impossible-list to at least one of a sales person and a service person in charge of the image-forming apparatus having the not-yet-obtained usage information.⁴ The Office Action then relies on Motoyama for such a teaching. However, in Motoyama, as noted in the section relied on by the Office Action, the indication of a problem in the business office device is sent to the diagnostic center. Yet, there is no indication that the “problem” being addressed in Motoyama involve a determination of an omission of obtained usage career information. Hence, the deficiencies in Tabata and Kawaguchi are not overcome by Motoyama.

Hence, dependent Claims 14, 31, and 48 for these reasons in addition to their dependence respectively on independent Claims 1, 18, and 35 are believed to patentably define over the applied prior art.

Fourthly, regarding dependent Claims 17, 34, and 51, Claim 16 for example from which Claim 17 depends defines that a bill submitting device does not submit the bill if the difference is abnormal. From which, Claim 17 defines that an abnormal difference represents that the current number is prescribed times as much as an average value calculated by averaging total usage information of users. Applicants respectfully submit that Kawaguchi does not disclose that there is no charge made when an abnormality exists. Indeed, in the example given in the Office Action with regard to Claim 16 (i.e., if no printing is performed,

⁴ Office Action, page 9, lines 14-17.

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and the total count of printed pages is zero, therefore, it is not necessary to submit a bill based on the usage information), Applicants submit that such illustration in the Office Action is 1) not disclosed in the applied prior art, and 2) does not represent a billing abnormality.

Furthermore, Figure 2 of Kawaguchi and the discussion therein, cited for its teaching of an abnormal difference that represents that the current number is prescribed times as much as an average value calculated by averaging total usage information of users, provides no indication that the bill is not charged, but rather Figure 2 provides an illustration that no paper stock or ink is needed.⁵

Hence, dependent Claims 17, 34, and 51 for these reasons in addition to their dependence respectively on independent Claims 1, 18, and 35 are believed to patentably define over the applied prior art.

⁵ Kawaguchi, col. 6, lines 1-4.

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Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Ronald A. Rudder

Gregory J. Maier
Attorney of Record
Registration No. 25,599
Ronald A. Rudder, Ph.D.
Registration No. 45,618

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)
GJM:RAR:clh

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